THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition (M/S) No. 195 of 2006

Smt. Kunti Devi W/O late Uma Nand Chaturvedi,
R/O Vivekanand Garam, P.O. IIP Jogiwala,
Nathanpur, Haridwar Road, Dehradun.

… **Petitioner.**

Versus

1. Civil Judge Senior Division, Dehradun,
2. Sri Subhash Chand Chaturvedi, S/O late Sri Uma Nand Chaturvedi, R/O Vivekanand Garam, P.O. IIP Jogiwala, Nathanpur, Haridwar Road, Dehradun presently posted with Ist Assam Rifles Through Smt. Saroj Chaturvedi W/O Shri Subhash Chand Chaturvedi, R/O Vivekanand Garam, P.O. IIP Jogiwala, Nathanpur Haridwar Road, Dehradun.
3. Shri Asha Ram Chaturvedi, S/O late Sri Uma Nand Chaturvedi, R/O Vivekanand Garam, P.O. IIP Jogiwala, Nathanpur, Haridwar Road, Dehradun.

… **Respondents**

Sri G.S.Negi, learned counsel for the petitioner.
Ms. Mamta Bisht, Brief Holder of learned standing counsel for the respondent no.1.

Dated 07-03-2006.

Hon'ble B.S.Verma, J.

Heard learned counsel.

The only prayer made in this writ petition by the petitioner is for a direction to the Civil Judge (Senior Division) Dehradun-respondent no.1 to decide the Original Suit No. 123 of 2005, Shri Subhash Chand V/s Sri Asha Ram and others expeditiously, which has been filed by the respondent no.2 against the petitioner and another.

It is alleged by the petitioner, that the written statements was filed by the defendants on 16-4-2005 and prior to the filing of written statement, she filed objection against the application for temporary injunction filed by the plaintiff, which is

still pending disposal. It is also alleged that the petitioner-defendant is an old lady of 90 years and is suffering from several ailments. Therefore, prayer has been made for expeditious disposal of the suit. The grievance of the petitioner is that the suit is being adjourned frequently on one pretext or the other. During the course of arguments, the learned counsel for the petitioner submitted that a time bound direction to the respondent no.1 to decide the suit will meet the ends of justice.

The Civil Judge (Senior Division) Dehradun is directed to decide the Original Suit No. 123 of 2005, Subhash Chand Vs. Asha Ram and another expeditiously preferably within a period of nine months from today, if possible.

With the above observation, the writ petition is disposed of finally.

(B.S. Verma, J.)

07.03.2006
RCP